AMENDMENTS TO THE CLAIMS

1.   (currently amended): A method for automatic digital audio mixing of at least two digital audio files, comprising:

        reading at least two ~~said~~ digital audio files;

        automatically determining [[a]] scale factor<u>s</u> for <u>scaling</u> each of said digital audio files based on an analysis of said at least two digital audio files by a digital processing unit; <u>wherein each scale factor is based on an analysis of the entirety of each of said at least two digital audio files relative to each other;</u>

        applying <u>each</u> said scale factor to each of said digital audio files respectively to create scaled digital audio files; and

        combining each of said scaled digital audio files into a single <u>audio recording</u> ~~digital~~ output <u>as a digital</u> file <u>on a storage medium</u>.

2.   (currently amended): The method of claim 1, wherein said method is performed within a server device operatively coupled over a network to a client device<u>; wherein said automatic digital audio mixing is resident on the server and initiated upon receiving one of said at least two digital audio files from said client device</u>.

3.   (currently amended): The method of claim [[2]]<u>1</u>, further including receiving one of said at least two digital audio files from a user.

4-35.   (canceled)

36.   (currently amended): An apparatus for automatic digital audio mixing of at least two digital audio files, said apparatus comprising:

        a means for reading at least two ~~said~~ digital audio files;

        a means for automatically determining [[a]] scale factor<u>s</u> for <u>scaling</u> each of said digital audio files based on an analysis of said at least two digital audio files by a digital processing unit;

wherein each scale factor is based on an analysis of the entirety of each of said at least two digital audio files relative to each other;

a means for applying each said scale factor to each of said digital audio files respectively to create scaled digital audio files; and

a means for combining each of said scaled digital audio files into a single audio recording digital output as a digital file on a storage medium.

37.   (currently amended): The apparatus of claim 36, wherein said apparatus is a server device operatively coupled over a network to a client device; wherein said automatic digital audio mixing is resident on the server device and initiated upon receiving one of said at least two digital audio files from said client device.

38.   (currently amended): The apparatus of claim [[37]]36, further including means for receiving one of said at least two digital audio files from a user.

39-70. (canceled)

71.   (previously amended): A program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform a method for automatic digital audio mixing of at least two digital audio files, said method comprising:

reading at least two said digital audio files;

automatically determining [[a]] scale factors for scaling each of said digital audio files based on an analysis of said at least two digital audio files by a digital processing unit; wherein each scale factor is based on an analysis of the entirety of each of said at least two digital audio files relative to each other;

applying each said scale factor to each of said digital audio files respectively to create scaled digital audio files; and

combining each of said scaled digital audio files into a single audio recording digital output as a digital file on a storage medium.

72.   (currently amended): The method of claim 71, wherein said method is performed within a server device operatively coupled over a network to a client device; wherein said automatic digital audio mixing is resident on the server and initiated upon receiving one of said at least two digital audio files from said client device.

73.   (currently amended): The method of claim [[72]]71, further including receiving one of said at least two digital audio files from a user.

74-105 (canceled)